

## **REMARKS**

By the present amendment, Applicant has amended Claim 1, and cancelled Claims 2 and 8. Claims 1, and 3-7 remain pending in the present application. Claim 1 is the sole independent claim.

Applicant appreciates the courtesies extended to Applicant's representative during the personal interview held May 18, 2005. The present response summarizes the substance of the interview. At the interview a proposed amendment to the claims was presented for discussion. Proposed amended independent Claim 1 set forth a barrette for adorning the hair of an animal, incorporating the language of proposed canceled dependent Claims 2 and 8. Arguments were advanced that the applied primary reference to Vogel failed to satisfy the limitations of the proposed claims. The Examiner indicated that upon presentation of a response formalizing the proposed amendment, the rejection under 35 U.S.C. § 102(b) would be withdrawn.

In the recent Office Action dated February 24, 2005 the Examiner rejected Claims 1, and 3-7 under 35 U.S.C. § 102(b) as being anticipated by Vogel. Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Vogel in view of Baxley. Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Vogel in view of Crosley et al. These rejections are respectfully traversed.

Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

With respect to the rejection of Claims 1 and 3-7, under 35 U.S.C. § 102(b), the applied prior art reference to Vogel discloses a protective liner for hair clips. The liner prevents hair from being snagged or caught in the hinge or clasp of the hair clip, as well as providing a frictional surface for engaging and holding the hair within the hair clamp. The liner has a pair of large rectangular portions joined with a small rectangular portion. The large rectangular portions are attached to the upper and lower arms of a hair clip; the small rectangular portion thereby covers the hinge between the upper and lower arms of the hair clip. The reference to Vogel does not teach the liner being formed of a hook material, nor that the hook material is attached to only one of the upper or lower arms. Further, Vogel does not disclose the liner as being a hook fabric material, and the upper arm having a decorative ornament attached thereto.

Applicant has amended independent Claim 1 by incorporating the features of Claims 2 and 8; as such Claim 1 is no longer anticipated by the applied prior art reference to Vogel. Applicant respectfully requests the withdrawal of this particular ground of rejection.

With respect to the rejection of Claim 2, under 35 U.S.C. § 103(a), the Examiner's alleged combination of prior art references to Vogel and Baxley discloses the liner as set forth above, being modified by including a hook fabric as disclosed by Baxley. This combination of references fails to show however, a decorative ornament attached to the upper arm of the hair clip, while the hook material is attached to only one of the upper and lower arms of the hair clip.

Applicant has amended independent Claim 1 by incorporating the features of Claims 2 and 8; as such one having ordinary skill in the art would have not found it obvious by the alleged combination of Vogel and Baxley to arrive at Applicant's unique structure as is now

set forth in amended independent Claim 1. Applicant respectfully requests the withdrawal of this particular ground of rejection.

With respect to the rejection of Claim 8, under 35 U.S.C. § 103(a), the Examiner's alleged combination of prior art references to Vogel and Crosley et al. discloses the liner as set forth above, being modified by including a decorative ornament attached to the upper arm of the hair clip as disclosed by Crosley et al. This combination of references fails to show however, a hook fabric, and that the hook fabric is attached to only one of the upper and lower arms of the hair clip.

Applicant has amended independent Claim 1 by incorporating the features of Claims 2 and 8; as such one having ordinary skill in the art would have not found it obvious by the alleged combination of Vogel and Crosley et al. to arrive at Applicant's unique structure as is now set forth in amended independent Claim 1. Applicant respectfully requests the withdrawal of this particular ground of rejection.

The claims in this application have been revised to more particularly define Applicant's unique construction in view of the prior art of record. Reconsideration of the claims in light of the amendments and for the following reasons is respectfully requested.

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For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,



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